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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,136	04/27/2000	YURI HASEGAWA	1163-0271P	4078

2292 7590 12/16/2002

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EXAMINER

DO, ANH HONG

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 12/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/530,136

Applicant(s)
Hasegawa et al.

Examiner
Anh Hong Do

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2624



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19 is/are rejected.
- 7) ☒ Claim(s) 18 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Apr 27, 2000 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3, 6, 7
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the reference to the drawings, each of the lettered items should appear in upper case, without

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underling or bold type, as section headings. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) Title of the Invention.
- (b) Cross-Reference to Related Applications.
- (c) Statement Regarding Federally Sponsored Research or Development.
- (d) Reference to a "Sequence Listing," a table, or a computer program listing appendix submitted on compact disc (see 37 CFR 1.52(e)(5)).
- (e) Background of the Invention.
 - 1. Field of the Invention.
 - 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) Brief Summary of the Invention.
- (g) Brief Description of the Several Views of the Drawing(s).
- (h) Detailed Description of the Invention.
- (I) Claim or Claims (commencing on a separate sheet).
- (j) Abstract of the Disclosure (commencing on a separate sheet).
- (k) Drawings.
- (l) Sequence Listing, if on paper (see 37 CFR 1.821-1.825).

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Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-17 and 19 are rejected under 35 U.S.C. 102(a) as being anticipated by the prior art described in the application (PAA).

Regarding claim 1, the PAA discloses:

- an analyzer for analyzing, in a coded bit stream, intra-coded indicator information indicating whether all images in a moving picture sequence are intra-coded or not (specification, page 3, lines 21-28);

- a decoder for decoding images contained in the moving picture sequence in response to the intra-coded indicator information analyzed by said analyzer (specification, page 3, lines 21-28, in which the decoding side inherently decodes images contained in the moving picture sequence in response to the intra-coded indicator information, i.e., coding type information).

Regarding claim 10, since this claim is a method claim corresponding to apparatus claim 1, the discussion of claim 1 applies hereto.

Regarding claim 2, the PAA teaches the moving picture sequence is a video object layer VOL consisting of moving image object VO of given shape (Fig. 1; and specification, page 2, lines 26-29).

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Regarding claim 3, the PAA teaches the moving picture sequence is a video object plane group GOV constituting a video object layer VOL consisting of moving image objects VO of given shape (Fig. 1; and specification, page 2, lines 26-29).

Regarding claims 4 and 11, the PAA teaches decoder decodes the images in the moving picture sequence with decimating them in response to the intra-coded indicator information and display rate information designated on the image decoding apparatus side (specification, page 3, line 30 - page 4, line 7).

Regarding claims 5-9 and 12-16, the PAA teaches analyzing, in a coded bit stream, coding side display rate information, and identifies images to be decoded in response to the coding side display rate information analyzed and to display rate information designated on the image decoding side, and wherein said decoder decodes the images contained in the moving picture sequence with decimating them in response to the intra-coded indicator information and display time information about the images to be decoded (specification, page 3, line 30 - page 4, line 7).

Regarding claim 17, the PAA discloses:

- an encoder for coding images contained in a moving picture sequence in response to intra-coding instruction information indicating whether all images in a moving picture sequence are intra-coded or not (specification, page 3, lines 21-28, referring to image coding apparatus);
- a decoder for inherently multiplexing, into an image coded signal encoded by said encoder, intra-coded indicator information indicating all the images contained in a moving picture sequence are intra-coded or not (specification, page 3, lines 21-28, referring to image decoding

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apparatus) in which the decoding side inherently decodes images contained in the moving picture sequence in response to the intra-coded indicator information, i.e., coding type information).

Regarding claim 19, since this claim is a method claim corresponding to apparatus claim 17, the discussion of claim 17 applies hereto.

Allowable Subject Matter

6. Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 18, the prior art, taken either singly or in combination, does not teach:

- said multiplexer multiplexes for each moving picture sequence, when the intra-coded indicator information indicates that all the images contained in a moving picture sequence are to be intra-coded, display time multiplex identification information that indicates whether display time information of all the images contained in the moving picture sequence is to be multiplexed or not, and multiplexes for each moving picture sequence, when the display time multiplex identification information indicates that the display time information of all the images contained in the moving picture sequence is to be multiplexed, the display time information of all the images contained in the moving picture sequence.

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Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Hong Do whose telephone number is (703) 308-6720.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700 or 4750.

The fax phone number for this Group is (703) 872-9314.

December 16, 2002.

A handwritten signature in black ink, appearing to be "H. Hong Do", written in a cursive style.